

# BIRCH, STEWART, KOLASCH & BUCH, LLP

## COMBINED DECLARATION AND POWER OF ATTORNEY

ATTORNEY DOCKET NO.

0425-0825P

PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING:

Insert Title:

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor ( if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Evaluation method and preparation process of injection  
containing a lipid A analog

Fill in Appropriate  
Information -  
For Use Without  
Specification  
Attached:

the specification of which is attached hereto. If not attached hereto,

the specification was filed on \_\_\_\_\_ as  
United States Application Number \_\_\_\_\_; and /or

the specification was filed on August 26, 1999 as PCT  
International Application Number PCT/JP99/04615; and was  
amended under PCT Article 19 on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Insert Priority  
Information:  
(if appropriate)

### Prior Foreign Application(s)

<u>10-246862</u> (Number)	<u>Japan</u> (Country)	<u>Sep. 1, 1998</u> (Month/Day/Year Filed)
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)

### Priority Claimed

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No

Insert Provisional  
Application(s):  
(if any)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More Than 12 Months (6 Months for Designs) Prior To The Filing Date of This Application:

Insert Requested  
Information:  
(if appropriate)

Country	Application No.	Date of Filing (Month/Day/Year)
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Insert Prior U.S.  
Application(s):  
(if any)

_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)

I hereby authorize the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

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PLEASE NOTE:  
 YOU MUST  
 COMPLETE THE  
 FOLLOWING:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First or Sole Inventor: Insert Name of Inventor Insert Date This Document is Signed Insert Residence Insert Citizenship Insert Post Office Address	GIVEN NAME FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
	Kazuhiro KANEKO		Kazuhiro Kaneko	Feb. 2, 2001
	Residence (City, State & Country)		CITIZENSHIP	
	Ibaraki, Japan		Japanese	
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Sky Heights 502, 2-11-3, Umezono, Tsukuba-shi, Ibaraki, Japan JPX				
Full Name of Second Inventor, if any: 2-00 see above	GIVEN NAME FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
	Tomohiro WATANABE		Tomohiro Watanabe	Feb. 2, 2001
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POST OFFICE ADDRESS (Complete Street Address including City, State & Country)				
Shatore KAWANAKA 403 3-7-9, Azuma, Tsukuba-shi, Ibaraki, Japan JPX				
Full Name of Third Inventor, if any: 3-00 see above	GIVEN NAME FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
	Yasuyuki ASAI		Yasuyuki Asai	Feb. 6, 2001
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33, Haidehonmachi, Inazawa-shi, Aichi, Japan JPX				
Full Name of Fourth Inventor, if any: 4-00 see above	GIVEN NAME FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
	Yoshihisa SANO		Yoshihisa Sano	Feb. 2, 2001
	Residence (City, State & Country)		CITIZENSHIP	
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Full Name of Fifth Inventor, if any: 5-00 see above	GIVEN NAME FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
	Kiyomi KIKUCHI		Kiyomi Kikuchi	Feb. 2, 2001
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Green Corpo Fujishiro 2-512, 531, Miyawada, Fujishiro-machi, Kitasouma-gun, Ibaraki, Japan JPX				

Full Name of Sixth  
Inventor:  
Insert Name of Inventor  
Insert Date This  
Document is Signed  
Insert Residence  
Insert Citizenship

GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	*DATE
Ikuro KUSHIDA		Ikuro Kughida	Feb.2, 2001
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Tsukubanedainiryo 205, 9-7, Inarimae, Tsukuba-shi, Ibaraki, Japan JPX			

Insert Post Office  
Address

Full Name of Seventh  
Inventor, if any:  
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	*DATE
Kazuhide ASHIZAWA		Kazuhide Ashizawa	Feb.2, 2001
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Full Name of Eighth  
Inventor, if any:  
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	*DATE
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Full Name of Ninth  
Inventor, if any:  
see above

GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	*DATE
RESIDENCE (City, State & Country)		CITIZENSHIP	
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Full Name of Tenth  
Inventor, if any:  
see above

GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	*DATE
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Full Name of Eleventh  
Inventor, if any:  
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	*DATE
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Full Name of Twelfth  
Inventor, if any:  
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	*DATE
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Full Name of Thirteenth  
Inventor, if any:  
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	*DATE
RESIDENCE (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			

\*Note: Must be completed  
— date this document is  
signed.